

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(13) PEDRO VILLOT-SANTIAGO,
(14) IVAN TORRES,
(15) JONATHAN VILLOT, and
(16) ABEL RODRIGUEZ RIVERA,

Defendants

Criminal No. 19-cr-40049-TSH(s)

ASSENTED-TO MOTION FOR EXCLUSION OF TIME UNDER
THE SPEEDY TRIAL ACT AND REQUEST FOR A STATUS CONFERENCE

The United States of America, by and through the undersigned Assistant United States Attorney, respectfully move this Court to exclude the time period from October 17, 2022, through and including the date set for the trial of the above-named defendants, January 9, 2023, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), on the ground that the ends of justice served by excluding the period outweigh the best interests of the public and the defendants in a speedy trial.

In support of this request, the government states that on August 26, 2022, defendant (13) PEDRO VILLOT-SANTIAGO filed a motion to continue the trial date from October 17, 2022 to a date in January 2023 based on defense counsel's 2022 trial schedule. *See* Dkt. 678. The government subsequently conferred with counsel for the remaining defendants, (10) ADIANGEL PAREDES, (14) IVAN TORRES, and (16) ABLE RODRIGUEZ RIVERA, regarding defendant (13) PEDRO VILLOT SANTIAGO's motion. Counsel for defendant (10) ADIANGEL PAREDES informed the government that his client would not agree to the continuance and wished to proceed to trial on October 17, 2022. Counsel for defendants (14) IVAN TORRES and (16)

ABEL RODRIGUEZ RIVERA informed the government that they would assent to the continuance.

On September 6, 2022, the Court granted defendant (13) PEDRO VILLOT SANTIAGO's motion to continue the trial. *See* Dkt. 687. The Court held that the trial as to defendant (10) ADIANGEL PAREDES only will proceed on October 17, 2022, and that the trial of defendants (13) PEDRO VILLOT SANTIAGO, (14) IVAN TORRES, and (16) ABLE RODRIGUEZ RIVERA will be continued to January 9, 2023. *See id.* The Court further ordered that the government file any motions to exclude time on or before September 13, 2022. *See id.*

On September 9, 2022, defendant (15) JONATHAN VILLOT filed a motion to continue his Rule 11 hearing, which was scheduled to take place on September 16, 2022. On September 12, 2022, the Court granted that motion and re-scheduled the Rule 11 hearing for defendant (15) JONATHAN VILLOT to November 14, 2022. The Court also continued the trial as to (15) JONATHAN VILLOT to January 9, 2023.

As defendants (13) PEDRO VILLOT SANTIAGO, (14) IVAN TORRES, (15) JONATHAN VILLOT, and (16) ABLE RODRIGUEZ RIVERA requested the continuance, they agree that this period constitutes "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," and that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). As such, the parties request that the Court enter an order excluding the time between October 17, 2022 and January 9, 2023, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

Additionally, counsel for defendants (13) IVAN TORRES and (16) ABLE RODRIGUEZ RIVERA notified the government that they have pre-existing scheduling conflicts with the January

9, 2023 trial date. Both counsel advised that they have other cases that were previously set for trial that conflict with that date. As such, the parties request that the Court set the matter for a status conference so that the parties can discuss the trial schedule with the Court.

Respectfully submitted,

RACHAEL S. ROLLINS
United States Attorney

By: /s/ Alathea E. Porter
Alathea E. Porter
Assistant United States Attorney

Date: September 12, 2022

CERTIFICATE OF SERVICE

I, Alathea E. Porter, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Alathea E. Porter
Alathea E. Porter
Assistant United States Attorney